

AMENDED IN ASSEMBLY MARCH 25, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 627

Introduced by Assembly Member Aghazarian

February 19, 2003

An act to ~~add Section 51223 to the Government~~ amend Section 5096.686 of the Public Resources Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 627, as amended, Aghazarian. ~~Agricultural land: production~~
Parkland and coastal protection.

Existing law requires the Resources Agency, until January 1, 2010, to prepare an annual report summarizing expenditures on the California Clean Water, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002.

This bill would require that the report contain specified items of information.

~~The California Land Conservation Act of 1965, known as the Williamson Act, makes various legislative findings and declarations regarding the public interest in the protection and preservation of agricultural land. The Subdivision Map Act also requires a legislative body to deny approval of a tentative or parcel map relating to a proposed subdivision of land if the legislative body finds that the land is subject to a Williamson Act contract and the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use.~~

~~The Thurman Agricultural Policy Act also requires the Legislature, as part of promoting and protecting the agricultural industry of the state~~

and for the protection of public health, safety, and welfare, to provide for a continuing sound and healthy agriculture in California and to encourage a productive and profitable agriculture by following a policy to, among other things, sustain the long-term productivity of the state's farms by conserving and protecting the soil, water, and air, which are agriculture's basic resources.

~~This bill would prohibit state agencies from directly or indirectly acquiring, or funding the acquisition of property rights or fee ownership to land in agricultural production for nonagricultural purposes unless the agency first considers the economic impact on local and statewide agricultural production and provides full mitigation of the project's impact by acquiring, among other things, conservation easements to ensure continued agricultural production on equivalent acreage in the area of the proposed acquisition.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 51223 is added to the Government~~
- 2 *SECTION 1. Section 5096.686 of the Public Resources Code*
- 3 *is amended to read:*
- 4 5096.686. (a) The Resources Agency shall prepare an annual
- 5 summary report of expenditures on the California Clean Water,
- 6 Safe Neighborhood Parks, and Coastal Protection Bond Act of
- 7 2002, ~~if that act is enacted during the 2001-02 Regular Session of~~
- 8 ~~the Legislature, and that includes, but is not limited to, the~~
- 9 *following:*
- 10 (1) *An accounting of expenditures, including administrative*
- 11 *costs.*
- 12 (2) *A description of major projects that have been approved.*
- 13 (3) *The projected fiscal impact when the property no longer*
- 14 *provides tax revenues to the state.*
- 15 (4) *The amount and location of habitat acquired by bond funds.*
- 16 (5) *The species targeted for protection. The Resources Agency*
- 17 *shall make that this information available to the public through the*
- 18 *Internet and any other means the Resources Agency agency*
- 19 *determines is cost-effective.*

(b) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2010, deletes or extends that date.
~~Code, to read:~~

~~51223. (a) No state agency, including local water initiatives such as CALFED, its member agencies, and state conservancies, shall directly or indirectly acquire or fund the acquisition of any property rights or fee ownership to land in agricultural production unless it is first determined and found that existing federal, state, or other land or rights, the acquisition of which was directly or indirectly funded for similar purposes of the proposed project, is not available to achieve the objectives sought by the proposed acquisition.~~

~~(b) In determining whether to authorize an acquisition of any rights in land or interest in land, a state agency shall do both of the following:~~

~~(1) Consider the cumulative impact of the proposed acquisition, including the economic impact on local and statewide agricultural production, local governments, communities, and agricultural workers.~~

~~(2) Provide full mitigation for those impacts as part of a regional plan.~~

~~(c) Full mitigation in the acquisition of land in agricultural production shall, at a minimum, include the acquisition of fee ownership in other land for agricultural purposes, including, but not limited to, conservation easements pursuant to Section 815.3 of the Civil Code, to ensure continued agricultural production on equivalent acreage in the immediate vicinity of the area of the proposed project.~~